

PATENT Docket No. 286002020023

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on August 20, 2001.

Irina Britva

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Carol Clayberger et al.

Serial No.:

08/653,294

Filing Date:

May 24, 1996

For:

IMMUNOMODULATING DIMERS

Examiner: Dibrino, M.

Group Art Unit: 1644

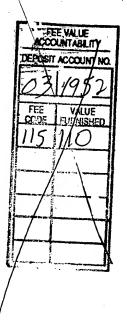
TRANSMITTAL

Box Sequence Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

- 1. Response to Notice of non-compliant Amendment
- 2. Copy of Notice of non-compliant Amendment
- 3. Petition for Extension of time
- 4. Return postcard



In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. <u>03-1952</u> under Order No. <u>28600202023</u>. The Assistant Commissioner is <u>not</u> authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 20, 2001

Rv.

Kate H. Murashige Registration No. (29,959)

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Suite 500

San Diego, California 92130-2332

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITEO STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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ATTORNEY DOCKET NO.

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EXAMINER

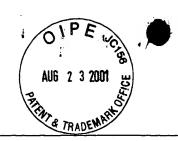
ART UNIT PAPER NUMBER

#13

DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

	The amendment filed on is considered non-compliant because it has not been submitted in the part required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and G. 77, Sept. 19, 2000).
	1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
	2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii)
	3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)
	4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)
	5. Other
	PRELIMINARY AMENDMENT: Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable. AMENDMENT AFTER NON-FINAL ACTION: Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).
(MPE	our convenience, attached to this correspondence is a copy of an informational flyer is Bookmark Bulletin on "Simplified Amendment Practice"). Successful



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PATENT

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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 CFR 1.121

Box Sequence **Assistant Commissioner for Patents** Washington, D.C. 20231

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed June 20, 2001, for which a response was due on July 20, 2001. A petition for extension of time of one month until August 20, 2001 is attached hereto along with the required fee. Reconsideration is respectfully requested.

Enclosed is the following Exhibit A:

Marked up Version of Amendment to the Claims. Exhibit A: